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<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/688,399	XU ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Yahveh Comas	2834	

**– The MAILING DATE of this communication appears on the cover sheet with the correspondence address–**  
 All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3/6/2006.
2. ☒ The allowed claim(s) is/are 1-20.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

## **DETAILED ACTION**

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Attorney Jeffrey Wax on 5/25/2006.

The application has been amended as follows:

1. Claim 1. A spindle motor comprising: a rotatable component defining a bearing gap with a stationary component; a magnet affixed to the rotatable component; a stator, affixed to the stationary component, for generating an electromagnetic force that interacts with the magnet for driving the rotatable component, the stationary component including a base plate, wherein the base plate defines a minimal axial gap with the magnet, the base plate comprising a first material positioned adjacent to the magnet, and a second material having a predefined stiffness, wherein the second material is positioned at a greater radial distance from the magnet than the radial distance between the stator and the magnet, wherein the stator is positioned radially outside of the magnet and wherein the second material is positioned at least one of radially outside of the stator and axially adjacent to the stator.

2. Claim 9. A spindle motor for incorporation into a disc drive storage system comprising: a rotatable component defining a bearing gap with a stationary component; a storage disc attached to one of the stationary component and the rotatable component; a magnet affixed to the rotatable component; a stator, affixed to the stationary component, for generating an electromagnetic force that interacts with the magnet for driving the rotatable component, the stationary component including a base plate, wherein the base plate defines a minimal axial gap with the magnet, the base plate comprising a first material positioned adjacent to the magnet, and a second material having a predefined stiffness, wherein the second material is positioned at a greater radial distance from the magnet than the radial distance between the stator and the magnet, wherein the stator is positioned radially outside of the magnet, and wherein the second material is positioned at least one of radially outside of the stator and axially adjacent to the stator.
3. Claim 17. A method comprising: a rotatable component defining a bearing gap with a stationary component; a magnet affixed to the rotatable component; a stator, affixed to the stationary component, for generating an electromagnetic force that interacts with the magnet for driving the rotatable component, the stationary component including a base plate, wherein the base plate defines a minimal axial gap with the magnet, the base plate comprising a first material positioned adjacent to the magnet,

and a second material having a predefined stiffness, wherein the second material is positioned at a greater radial distance from the magnet than the radial distance between the stator and the magnet, wherein the stator is positioned radially outside of the magnet and wherein the second material is positioned at least one of radially outside of the stator and axially adjacent to the stator.

***Allowable Subject Matter***

- Claims 1-20 are allowed.
- The following is an examiner's statement of reasons for allowance:

Applicant teaches a spindle motor having a base plate comprising a first and second material.

Morita (U.S. Patent 5,479,304) discloses a spindle motor having a base plate comprising a first and second material. However, the cited reference fail to individually disclose, or suggest when combined, a base plate comprising a first material positioned adjacent to the magnet, and a second material having a predefined stiffness, wherein the second material is positioned at a greater radial distance from the magnet than the radial distance between the stator and the magnet, wherein the stator is positioned radially outside of the magnet and wherein the second material is positioned at least one of radially outside of the stator and axially adjacent to the stator.

No prior art was found teaching individually, or suggesting in combination, all of the features of the applicants' invention, specifically base plate comprising a first material positioned adjacent to the magnet, and a second material having a predefined

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stiffness, wherein the second material is positioned at a greater radial distance from the magnet than the radial distance between the stator and the magnet, wherein the stator is positioned radially outside of the magnet and wherein the second material is positioned at least one of radially outside of the stator and axially adjacent to the stator in combination with the recited structural limitations of the claimed invention.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yahveh Comas whose telephone number is (571) 272-2020. The examiner can normally be reached on 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached on 571-272-2044. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

YC

  
DARREN SCHUBERG  
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TECHNOLOGY CENTER 2800